Acts and Laws

Passed by the Great and General Court or Assembly of His Majesties Province of the *Massachusetts-Bay* in *New-England*, begun & Held at *Boston*, upon Wednesday the Twenty-sixth Day of *May*, 1731. and continued by several Adjournments unto Wednesday the Third Day of *November* following.

CHAP. IV.

An Act for granting the Sum of *Five Thousand four Hundred Pounds*, for and towards the Support of His Majesties Governour.

WHEREAS *the House of Representatives at the Sessions of the General Court held in* September *last past, by an Engross'd Bill, did grant the Sum of* Two Thousand four Hundred Pounds *to his Excellency the Governour, for and towards his Support, which was concurr'd by the Council, but not Consented to by the Governour, nor hath the Governour as yet received any Sum of the Province since his Arrival for his Support:* Preamble.

Be it therefore Enacted by His Excellency the Governour, Council and Representatives in General Court Assembled, and by the Authority of the same, That the aforesaid Grant of *Two Thousand four Hundred Pounds*, be and hereby is revived, and the Sum of *Two Thousand four Hundred Pounds*, together with the further Sum of *Three Thousand Pounds*, making in the whole *Five Thousand four Hundred Pounds* in Bills of Publick Credit on this Province, is granted to His Most Excellent Majesty, to be paid out of the Publick Treasury to his Excellency JONATHAN BELCHER Esq; Captain General and Governour in Chief in and over this His Majesty's Province, for his past Services since his taking upon himself the Administration of the Government, and further to enable him to go on in managing the Publick Affairs. l. 5400 granted to the Governour.

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CHAP. V.

An Act for Supplying the Treasury with the Sum of *Five Thousand four Hundred Pounds*.

Preamble.

WHEREAS *a Bill entitled, An Act for granting the Sum of* Five Thousand Four Hundred Pounds *for and towards the Support of His Majesty's Governor, pass'd by the House of Representatives at the present Sessions, and hath been Concur'd by the Council wherein the Sum of* Five Thousand Four Hundred Pounds *was granted to His Excellency* JONATHAN BELCHER, *Esq; Governour of this Province, for his past Services since his Taking upon himself the Administration of the Government, and further to enable him to manage the Publick Affairs: For the Discharge whereof there is no Supply of Bills in the Treasury;*

Treasury supplied with £. 5400 for the Governours Support.

Be it therefore Enacted by His Excellency the Governour, Council and Representatives in General Court Assembled, and by the Authority of the same, That the Sum of *Five Thousand Four Hundred Pounds* in Bills of Credit now lying in the Treasury, and received for Taxes, Impost, Excise, *&c.* shall be Emitted and imployed for Discharging and Paying the aforesaid Sum of *Five Thousand Four Hundred Pounds* to His Excellency the Governour, and for no other Use or Purpose whatsoever, To be issued out of the Treasury by Warrant under the Hand of His Excellency the Governour or Commander in Chief for the Time being, with the Advice and Consent of the Council; And the said Bills shall pass out of the Publick Treasury at the Value therein expressed equivalent to Money, and shall be so taken and accepted in all Publick Payments; And the Duties of Impost and Excise together with all other Incomes shall be a Fund and Security for the Payment and Drawing the said Bills into the Treasury again.

Fund.

And be it further Enacted, That there be and hereby is Granted unto His most Excellent Majesty as the further Fund and Security for the Drawing in the said Bills by this Act Ordered to be Emitted, a Tax of *Five Thousand Four Hundred Pounds*, to be levied on Polls and Estates both Real and Personal within this Province, according to such Rules and Directions, and in such Proportion upon the several Towns and Districts within the same, as shall be agreed on and Ordered by this Court at their Session in *May*, One Thousand seven Hundred and Thirty eight, and paid into the Treasury on or before the last Day of *December* then next after.

CHAP. VI.

An Act for Allowing necessary Supplies to the *Eastern* and *Western Indians*, and for Regulating Trade with them.

Preamble.

WHEREAS *the* Indians *in the* Eastern *and* Western *Parts of this Province, have (many Years since) Recognized their Subjection & Obedience to the Crown of* Great Britain, *and have their Dependance on this Government for Supplies of Cloathing and other Necessaries;*

To

To the Intent therefore that they may be furnished with the same at such easy Rates and Prices as may oblige them to a firm Adherence to His Majesty's Interest; several Truck Houses having been erected and set up for that Purpose;

Be it Enacted by His Excellency the Governour, Council and Representatives in General Court Assembled, and by the Authority of the same, That Provisions, Cloathing and other Supplies suitable for a Trade with the said Indians, be procured with the several Sums formerly granted for that Purpose, by the General Court, and the Produce thereof applied from Time to Time for the Supplying the said Indians as aforesaid, by such Person or Persons as shall annually be chosen by this Court, who shall take the Direction of the Governour and Council in the Recess of the Court, as Occasion shall require; *Provided always*, That such Direction be not inconsistent with the Instructions formerly given, or that shall be hereafter given by this Court; Which Person or Persons so chosen shall annually lay before this Court fair Accompts of all his or their Proceedings herein: And the Supplies of Cloathing, Provisions and other Things shall be lodged at such Places to the Eastward and elsewhere, as the General Court have heretofore Ordered, or as they shall from time to time Order and Appoint.

Cloathing, Provisions, &c. to be prepared for the Trade with the *Indians*.

The Accompts of the Trade to be Annually laid before the General Court.

And be it further Enacted by the Authority aforesaid, That a suitable Person be appointed by this Court for each of the Places, where any of the Goods aforesaid are lodged, as a Truck Master, to have the Care and Management of the Trade with the Indians, to be paid for his Service such Sum or Sums from year to year as this Court shall Order; Which Truck Masters shall be under Oath, and shall give sufficient Security for the faithful Discharge of that Trust, and Attending such Instructions as shall be from time to time given them by this Court, and in the Recess of the Court, by the Governour and Council, as aforesaid; And the said Truck Masters shall keep fair Accompts of their Trade and Dealing with the said Indians, and shall return the same together with the Produce thereof from time to time to the Person or Persons who shall be appointed to supply them with the Goods as aforesaid: The said Accompts to be laid before the Court: And they shall not Trade with the said Indians on Behalf or Account of themselves or any other Person or Persons: And in Case of the Death of any such Truck Master or Mismanagement in that Trust, during the Recess of the Court, another shall be put into his Place by the Governour with the Advice of the Council, until the next Session of the General Court.

Truck Masters to be chosen.

Truck Masters not to Trade on their own Accompt.

And be it further Enacted, That the said Truck Masters shall sell the Goods to the Indians at the Price set in the Invoices sent them from time to time without any Advance thereon, and shall allow the Indians for their Furs and other Goods as the Market shall be at *Boston*, according to the latest Advices that they shall receive from the Person or Persons that shall supply them for the same Commodities of equal Goodness; And that the Truck Masters do supply the Indians with Rhum in moderate Quantities as they shall in Prudence judge convenient & necessary at the Rate as charged in the Invoice from time to time.

Goods to be Sold according to Invoice.

And

And be it further Enacted by the Authority aforeſaid, That from and after the Publication of this Act, no Perſon or Perſons whatſoever, other than the Truck Maſters that ſhall be appointed in Manner as is before provided ſhall or may preſume by themſelves or any other for them, directly or indirectly to ſell, give, truck, barter or exchange to any of the aforeſaid Indians any ſtrong Beer, Ale, Cyder, Perry, Wine, Rhum, Brandy or other ſtrong Liquor by what Name or Names ſoever called or known, on Penalty of Forfeiting the Sum of *Fifty Pounds* or Six Months Impriſonment, for each Offence; And in caſe any Rhum or Strong Liquors ſhall be ſold or traded with on Board any Ship or Veſſel, or tranſported into thoſe Parts for Sale; All ſuch Rhum or Strong Liquors ſhall be alſo Forfeited; And the Offences aforeſaid ſhall be tried at any of His Majeſty's Courts of Record within this Province; And the Juſtices of the ſaid Courts are accordingly impowered to Hear and Determine thereon; One Moyety of all Fines and Forfeitures ariſing by Vertue of this Act, to be laid out in procuring Supplies for Carrying on the Trade with the Indians, the other Moyety to him or them that ſhall inform or ſue for the ſame, in any of the Courts aforeſaid.

Private Perſons not to ſell ſtrong Drink to the Indians.

Penalty.

This Act to continue and be in Force till the End of the Seſſion of the General Aſſembly in *May*, One Thouſand ſeven Hundred and Thirty two.

Limitation.

CHAP. VII.

An Act in further Addition to an Act directing the Admiſſion of Town Inhabitants, Made and Paſs'd in the Thirteenth Year of the Reign of King *WILLIAM* the Third.

Be it Enacted by His Excellency the Governour, Council and Repreſentatives in General Court Aſſembled, and by the Authority of the ſame, That the Inhabitants of the ſeveral Towns within this Province, who ſhall receive, admit and entertain any Perſon or Perſons not being Inhabitants of ſuch Towns either as Inmates, Boarders, Tenants or under any other Qualifications for more than the Space of Twenty Days, and ſhall not in Writing under their Hands, give an Accompt to one or more of the Select-Men or the Town Clerk of ſuch Town, of all ſuch Perſons ſo received, admitted or entertain'd by them, with the Time they firſt received them, and the Place from whence they laſt came, together with their Circumſtances as far as they can, ſhall for every ſuch Neglect, forfeit and pay the Sum of *Forty Shillings*, to be recovered by Bill, Plaint, or Information before any Juſtice of the Peace, or in any of His Majeſty's Courts of Record within this Province; The one half of ſaid Fine to be employed to and for the Uſe of the Poor of the Town where ſuch Offence ſhall be committed, the other half to him or them that ſhall inform and ſue for the ſame, and they ſhall be liable to anſwer all Charges that may ariſe in the ſaid Town by Receiving and Entertaining ſuch Perſons as aforeſaid, to be recovered by the Town-Treaſurer or Select-Men, where no Town-Treaſurer is appointed, who are hereby reſpectively impowered to bring an Action accordingly.

No Strangers to be entertain'd in a Town above Twenty Days without giving Notice to the Select-Men, &c.

Penalty.

This Act to continue and be in Force for the Space of Five Years and no longer.

Limitation.

[*Publiſhed*, Nov. 10. 1731.]

CHAP.

CHAP. VIII.

An Act to ſubject the unimproved Lands within this Province, belonging to Non-reſident Proprietors, to be Sold for Payment of Taxes or Aſſeſsments, levyed on them by Order of the Great and General Court.

Preamble.

WHEREAS it frequently happens that the Non-reſident Proprietors of Unimproved Lands within the ſeveral Towns and Precincts of this Province, neglect or delay to pay their Proportions of the Sums from time to time Aſſeſſed on ſuch Lands, by Order of the Great and General Court, towards Defraying the Publick Charges ariſing within ſuch Towns or Precincts:

Be it therefore Enacted by His Excellency the Governour, Council and Repreſentatives in General Court Aſſembled, and by the Authority of the ſame, That when and ſo often as the Aſſeſſors of any of the Towns or Precincts within this Province have, or at any time to come, ſhall purſuant to the Direction or Orders of the General Court Levy, or Aſſeſs a Tax upon the unimproved Lands of the Non-reſident Proprietors, ſcituate in any of the Towns within this Province, for defreying the Publick Charges ariſing in the ſaid Towns or Precincts reſpectively, and ſuch Non-reſident Proprietors ſhall neglect or delay to pay to the Collector or Collectors the Sums from time to time, Levyed or Aſſeſſed upon their Lands, for Sixty Days after ſuch Aſſeſsment is made and publiſhed, by poſting up the ſame in the Town or Precinct where ſuch Land lies, and in the Shire Town of the County; That then and in ſuch caſe, it ſhall and may be lawful for the Aſſeſſors of each Town or Precinct reſpectively to Nominate three ſufficient Freeholders living in ſome Neighbouring Town or Towns within the County where ſuch Lands lye, to Apprize ſo much of ſuch Delinquent Proprietors Lands, upon Oath, as they judge will be ſufficient to pay and ſatisfy ſuch Publick Rates and Taxes, and other neceſſary intervening Charges; and after the Apprizement ſo made, the Aſſeſſors of each Town or Precinct reſpectively, are hereby directed to poſt up in ſome Publick Place or Places in the Town or Precinct where the Lands lye, Notifications of the intended Sale of ſuch unimproved Lands, thirty Days before the ſame be Sold, and if ſuch Non-reſident Proprietors do not by that time pay ſuch Rates or Aſſeſsments, and Charges, then and in ſuch Caſe, it ſhall and may be lawful for the Aſſeſſors at a publick Vendue to Sell and Execute abſolute Deeds in the Law, for the Conveyance of ſuch Lands of the Proprietors to the Perſon or Perſons who will give moſt for the ſame; which Deeds ſhall be good and valid to all Intents and Purpoſes in the Law, for Conveying ſuch Eſtates to the Grantees, their Heirs and Aſſigns for ever; And if the ſaid Lands be ſold for more, the Overplus, after all Charges ariſing about the ſame are ſubducted, to be paid to ſuch delinquent Proprietors, or their Order, the Money which the ſaid Lands ſhall be ſold for, to be lodged in the Hands of the Treaſurers of the reſpective Towns or Precincts, who are hereby directed to Attend the Orders of the Aſſeſſors of ſuch Towns or Precincts, for payment of the ſame, purſuant to the true Intent and Meaning of this Act, reſerving to ſuch Non-reſident Proprietors as are not Inhabitants of this

Aſſeſſors impowred to ſell unimproved Lands for paying publick Taxes, in Caſe.

The Money to be lodged in the Hands of the Treaſurers of the Towns or Precincts.

Province, their Heirs or Aſſigns, a liberty for Redemption of their Lands ſo ſold, they paying to the Grantees or their Heirs reſpectively within One Year afterwards, the Sums for which the ſaid Lands were ſold, with lawful Intereſt for the ſame until the ſame be redeemed; Any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Limitation. This Act to continue and be in force for the ſpace of Three Years from the Publication, and no longer.

[*Publiſh'd, Nov.* 10*th.* 1731.]

CHAP. IX.

An Act Making more effectual Proviſion for the Calling of Precinct or Parish Meetings.

Preamble. 7. Geo. Cap 2

WHEREAS His Majeſty's Juſtices of the Peace in their ſeveral Counties are, by the Acts or Laws of this Province already made, impowered, upon Application made to them, to iſſue out their Warrants for the Calling of the firſt Meeting of any Pariſh or Diſtrict regularly ſet off; but no proviſion is made for the Calling any after Meeting in caſe of the Death or Refuſal of any of the major Part of ſuch a Committee, as are impowered to Call other or after Pariſh Meetings;

Be it Enacted by His Excellency the Governour, Council and Repreſentatives in General Court Aſſembled, and by the Authority of the ſame, That when it ſhall ſo happen by the Refuſal of any Committee impowered to call Meetings in any Pariſh or Diſtrict, or their being diſabled by the Death or Removal of the major Part of ſuch Committee, that then it ſhall and may be lawful for any Juſtice of the Peace in the County where ſuch Precinct, Diſtrict or Pariſh lies, And ſuch Juſtice is hereby impowered upon application to him made by five or more Freeholders of ſuch Precinct or Pariſh, by Writing under their Hands, for Calling of a Meeting, to iſſue out a Warrant for the aſſembling ſuch Diſtrict or Pariſh, directed to One of the Freeholders, Requiring him to Notify the Freeholders and others (qualified by Law to Vote) of the Time and Place of the Meeting: And the Freeholders and other Inhabitants ſo convened ſhall have full Power to chuſe all neceſſary Officers to act and tranſact all Matters and Things relating to their Pariſh, as they ſhall judge convenient; *Provided*, that ſuch Matters and Things are contained in the Warrant or Notification of the ſaid Meeting.

Juſtices impowred to call Precinct Meetings after the firſt, in Caſe.

Preamble. *And whereas no Proviſion is made in the Law for Swearing of Pariſh Officers in Towns where no Juſtice of the Peace dwells, & the Travelling to other Towns is attended with Charge and Difficulty;*

Therefore,

Clerk to Adminiſter an Oath where no Juſtice dwells. **Be it Enacted by the Authority aforeſaid,** That the Aſſeſſors, and other Officers in any Pariſh or Diſtrict being in a Town where no Juſtice of the Peace dwells, ſhall and may be Sworn to the faithful diſcharge of their Office before the Clerk of ſuch Pariſh or Precinct, Who is accordingly impowered to adminiſter the ſame; The ſaid Clerk being firſt Sworn before One of His Majeſties Juſtices in the ſaid County.